Paper No. 15

William S Frommer
Frommer Lawrence & Haug LLP
745 Fifth Avenue
New York NY 10151

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DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of: :
Herman SCHERLING   :
Application Serial No.: 09/213,434   :   DECISION
Filed: December 17, 1998   :   ON PETITION
For: OPTICAL IMAGE RECORDING SYSTEM, AND :
ASSOCIATED PROCESSING SYSTEM

This is a decision on the Petition Under 37 CFR § 1.182 to Correct Filing Receipt and Priority Claim filed October 14, 2003. The petition is treated under 37 CFR 1.181.

A Notice of Allowance and Issue Fee Due was mailed July 15, 2003. The issue fee was paid on October 14, 2003.

Petitioner requests that the filing receipt be corrected and the priority claim for the instant application be changed to indicate that the application also claims priority to International Application No. PCT/DK97/00261 filed June 17, 1997. Petitioner has provided a substitute executed declaration which lists the priority claims to the application.

The Petition is **GRANTED**.

It is noted that the instant application was filed more than one year subsequent to all the claims for priority listed in the substitute declaration. The PCT application as mentioned above was filed June 17, 1997. Denmark application 0676/96 was filed June 18, 1996 and U.S. provisional application 60/043,260 was filed April 17, 1997. It is also noted that copies of the foreign documents have not been provided. Additionally, the application was not filed under 35 USC 371. Furthermore, the conditions of 35 USC 120 have not been met. The claim for priority is noted. However, applicant has not met the conditions for priority under 119 and 365. Priority has NOT been granted.

The file will be forwarded for issuing a correct filing receipt. From there, the file will be forwarded to the issue branch for further processing in due course.

Andrew Faile, Director (Acting)
Technology Center 2600
Communications